

REMARKS

Favorable reconsideration of this application is currently constituted as respectfully requested.

Claims 1, 2, 11 and 12 have been amended Claims 1, 2, 11 and 12 stand rejected under 35 U.S.C. §102 (e) as being anticipated by *Baldwin et al.*, U. S. Patent No. 6,333,238. Claims 1, 2, 11 and 12 stand rejected under 35 U.S.C. §102 (b) as being anticipated by *Isobe et al.*, U. S. Patent No. 5,187,559.

Before discussing in detail the rejection of the claims on their merits, it is believed that an additional recapitulation of the subject matter of Applicants' invention might be useful.

Applicants' invention is directed to a novel electrically trimmable resistor which is doped in a manner so as to increase the grain boundary density and to produce a fine grain size.

Furthermore, as is set forth in the specification on page 6 this allows for a final resistor which is capable of being trimmed to about 30% of its' initial resistance while early implant resistors such as the *Isobe et al.* resistor can only be trimmed to approximately 60% of its' initial resistance.

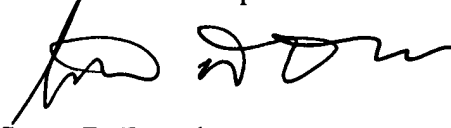
Accordingly, this produces significant advantages over prior art devices.

It is respectfully submitted that the trimming range of between 60 to 30 percent of original value is a structural limitation with respect to claims 1 and 2 and therefore, the product by process limitation analysis contained within the official action is no longer appropriate with respect to claims 1 and 2 and accordingly patentable weight must be given to the electrical trimmable area feature of these claims. Accordingly, it cannot be said that either the *Isobe et al.* reference or the *Baldwin et al.* reference either teach or suggest Applicants' novel invention which would have a

significantly higher grain boundary density and would have a much finer grain size than would be possible with devices built along the lines of the *Isobe et al.* device or the *Baldwin et al.* device. Furthermore, the concentrations used in these two references are respectfully submitted to not teach or suggest the ranges set forth in Applicants' invention as currently claimed. Accordingly, it is respectfully submitted that Applicants' invention is patentably distinguishable over both of these references. Furthermore, it is respectfully submitted that the structure of Applicants' invention as now called for in the claims clearly is not taught, suggested or even implied by either of these two references and in fact one of ordinary skill in the art reading the methodology set forth in the *Isobe et al.* reference and the *Baldwin et al.* reference would not be led to the methodology employed in forming Applicants' invention and would clearly not be led to the resultant structure (which is the subject matter of the claims in this application) as now set forth in independent claims 1, 2, 11 and 12. Accordingly, Applicants' respectfully request the withdrawal of the current rejection and an indication of Allowability of these claims over the art of record. Applicant respectfully requests the thorough reconsideration of this application and earnestly solicits an early Notice of Allowance.

Respectfully submitted,

JENKENS & GILCHRIST,
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A handwritten signature in black ink, appearing to read "Stuart D. Dwork", written over the printed name.

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